IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 15825 of 2004

Between:

M.Ramulu S/o. Rajaiah,Shop Dealer

R/o. Burugupally, Gajwal Manal, Medak District.

..... PETITIONER

AND

1 The Revenue Divisional Officer Siddipet Division, Siddipet Medak District.
2 The Joint Collector (Civil Supplies) Medak at Sangareddy.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in issuing the suspension orders vide its proceedings No.B/1625/2004 dt.3.8.2004 without giving show cause notice to the petitioner as illegal, arbitrary and in violation of the principles of natural justice and set aside the impugned proceedings and pass.

Counsel for the Petitioner: SMT.S.SWARNA REDDY

Counsel for the Respondent No.: GP FOR CIVIL SUPPLIES

The Court made the following :

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ORDER:

Petitioner is the authorised dealer of the Fair price Shop of Burugupally, Gajwal Mandal, Medak District. His authorisation has been suspended by the first respondent-Revenue Divisional Officer, Siddipet, Medak District, by proceedings dated 03.08.2004, pending enquiry into the alleged irregularities in distribution of the commodities,which is under challenge in this writ petition.

Admittedly, against the impugned order, an alternative remedy is available under the statute by way of an appeal, and the petitioner has already availed the said remedy.

Learned counsel for the petitioner states that the appeal along with application for stay filed by the petitioner are pending before the second respondent-Joint Collector, Medak at Sangareddy District. However, the second respondent-Joint Collector failed to consider the same and no orders have been passed even on the application for stay so far.

Though the learned counsel for the petitioner raised various contentions assailing the correctness of the order of suspension, since the statutory appeal is pending

before the second respondent-Joint Collector, I am not inclined to express any opinion on merits of the case. Instead, I deem it appropriate to dispose of the writ petition with a direction to the second respondent-Joint Collector to dispose of the appeal pending on his file as expeditiously as possible, preferably within a period of three weeks from the date of receipt of a copy of this order.

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03-09-2004

Note: Issue C.C. by tomorrow.

B/o

klp

To

1 The Revenue Divisional Officer Siddipet Division, Siddipet Medak District.
2 The Joint Collector (Civil Supplies) Medak at Sangareddy.

3 2CCs to G.P. for Civil Supplies, High Court buildings,

Hyderabad.(OUT).

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